

HOUSE BILL No. 1064

DIGEST OF INTRODUCED BILL

Citations Affected: IC 24-5-20.

Synopsis: Cable television bills. Requires a bill for cable television service to show certain specified information about the bill. Provides that a cable television service customer has 17 days from the date of the postmark of the initial bill to pay the bill. Provides that a late payment charge for cable television service may not exceed 10% of the first \$3 of the bill plus 3% of the amount over \$3. Provides that a customer is not required to pay a bill that fails to meet the statutory requirements. Prohibits a cable system operator from collecting or attempting to collect a bill that fails to meet the statutory requirements. Provides remedies to a customer against a cable system operator that collects or attempts to collect a bill that fails to meet the statutory requirements.

Effective: July 1, 1999.

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January 6, 1999, read first time and referred to Committee on Commerce and Economic Development.



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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 1064

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulations; consumer sales and credit.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 24-5-20 IS ADDED TO THE INDIANA CODE AS
- 2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 1999]:
- 4 **Chapter 20. Cable Television Bills**
- 5 **Sec. 1.** As used in this chapter, "bill" refers to a bill for cable
- 6 television service.
- 7 **Sec. 2.** As used in this chapter, "cable system operator" has the
- 8 meaning set forth in 47 CFR 76.5.
- 9 **Sec. 3.** As used in this chapter, "customer" refers to a person
- 10 who receives cable television service from a cable system operator.
- 11 **Sec. 4.** A bill rendered periodically by a cable system operator
- 12 to a customer must show at least the following information:
- 13 (1) The amount of the bill.
- 14 (2) The previous balance, if any.
- 15 (3) The sum of the amount of the bill and the late payment
- 16 charge.
- 17 (4) The date when the bill becomes delinquent and the date

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the late payment charge will be added to the bill.

(5) A printed statement or actual figure, or both, on either side of the bill, informing the customer of the seventeen (17) day nonpenalty period as established under section 6 of this chapter.

Sec. 5. A bill must be issued as a net bill.

Sec. 6. (a) A bill is considered delinquent unless payment is received within seventeen (17) days after the initial bill is postmarked.

(b) A delinquent bill may be assessed a late payment charge.

(c) A late payment charge may not exceed ten percent (10%) of the first three dollars (\$3) of the bill plus three percent (3%) of the amount of the bill over three dollars (\$3).

Sec. 7. A customer is not required to pay a bill that does not meet the requirements of this chapter.

Sec. 8. A cable system operator may not collect or attempt to collect, through judicial process or otherwise, a bill that does not meet the requirements of this chapter.

Sec. 9. (a) It is a defense to an action by a cable system operator to collect a bill from a customer for cable television service that the bill violates this chapter.

(b) A customer may bring an action against a cable system operator that violates section 8 of this chapter in a court with jurisdiction for the following:

(1) An action to enjoin the cable system operator from collecting the bill that violates this chapter and from further violations of this chapter.

(2) An action for recovery of the person's actual damages resulting from the violation of this chapter, including court costs and attorney's fees.

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